



Office of the Secretary
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION
DOCKET OPERATIONS AND MEDIA
MANAGEMENT
Washington, D.C. 20590

2002-1

Weekly Summary of Aviation Orders and
Regulations

December 31 – January 4, 2002

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

2001-12-24 OST-2001-10989 APPLICATION OF MIDWAY 12/28/01

**AIRLINES CORPORATION
FOR A WAIVER FROM THE 45-DAY
ADVANCE NOTICE PROVISION OF
§204.7 OF THE DEPARTMENT'S
AVIATION ECONOMIC
REGULATIONS:**

The Department confirms its oral action authorizing Midway Airlines Corporation (Midway) to resume its scheduled passenger operations.

Served: December 28, 2001

2001-12-25 UNDOCKETED MIDWEST EXPRESS AIRLINES, 12/31/01

**INCORPORATED VIOLATIONS OF
49 U.S.C. §41712 AND 14 CFR PART 374:**

This consent order concerns the failure of Midwest Express Airlines, Inc. ("Midwest Express"), to comply with the requirement, implemented by 14 CFR Part 374, to make prompt credit card refunds as required by the Consumer Credit Protection Act and Regulation Z of the Board of Governors of the Federal Reserve System, 15 U.S.C. §§1601-1693r and 12 CFR Part 226. This order directs Midwest Express to cease and desist from future violations and to pay compromise civil penalties.

Served: December 31, 2001

2001-12-26 OST-2001-10685 ESSENTIAL AIR SERVICE AT 12/31/01

Order	Docket	Summary	Date Action Taken
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OST-2001-10684 **LAUREL/HATTIESBURG, MISSISSIPPI**
OST-2001-10682 **FORT DODGE, IOWA**
OST-2001-10644 **MASON CITY, IOWA**
OST-2001-10642 **WATERTOWN, SOUTH DAKOTA**

THIEF RIVER FALLS, MINNESOTA

UNDER 49 U.S.C. §41731 et seq.:

The Department (1) prohibits both Express Airlines I (Express) and Mesaba Aviation, Inc., d/b/a Mesaba Airlines (Mesaba), from terminating their unsubsidized services at Laurel/ Hattiesburg, Mississippi, Fort Dodge and Mason City, Iowa, Watertown, South Dakota, and Thief River Falls, Minnesota; (2) requires each carrier to maintain service between the communities and Memphis or Minneapolis for an initial 30-day period following the end of the notice period; and, (3) requests proposals from carriers interested in providing replacement service to one or more of the communities.

Served: January 4, 2002

ERRATUM

2001-12-19 UNDOCKETED

**CANADA 3000 VIOLATIONS OF
49 U.S.C. §§41301 AND 41712 AND 14
CFR PARTS 212, 216, AND 380:**

12/27/01

The Department substitutes the first page of Order 2001-12-19 to correct the amount of the civil penalty stated in paragraph One (1) from of \$30,000 to \$25,000, payable to Canada 3000.

Served: December 31, 2001

RULEMAKINGS

Order	Docket	Summary	Date Action Taken
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Final Rule

OST-2001-10885

Procedures for Compensation of Air Carriers

01/02/02

On September 22, 2001, President Bush signed into law the Air Transportation Safety and System Stabilization Act ("the Act"). The Act makes available to the President funds to compensate air carriers, as defined in the Act, for direct losses suffered as a result of any Federal ground stop order and incremental losses beginning September 11, 2001, and ending December 31, 2001, resulting from the September 11 terrorist attacks on the United States. In order to fulfill Congress' intent to expeditiously provide compensation to eligible air carriers, the Department used procedures set out in Program Guidance Letters to make initial estimated payments amounting to about 50 percent of the authorized funds. On October 29, 2001, the Department published a final rule and request for comments establishing application procedures for air carriers interested in requesting compensation under this statute. This document makes amendments to the rule and otherwise responds to the comments the Department received.

Effective: January 2, 2002

Request for comments

Order	Docket	Summary	Date Action Taken
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OST-2001-10885

Procedures for Compensation of Air Carriers

01/02/02

On September 22, 2001, President Bush signed into law the Air Transportation Safety and System Stabilization Act ("the Act"). The Act makes available to the President funds to compensate air carriers, as defined in the Act, for direct losses suffered as a result of any Federal ground stop order and incremental losses beginning September 11, 2001, and ending December 31, 2001, resulting from the September 11 terrorist attacks on the United States. In a final rule being published in today's Federal Register, the Department is amending its application procedures for this compensation program. This document requests further comments on the issue of whether the Department should establish a set-aside of compensation funds for classes of air carriers, such as air ambulances and air tour operators, for whom the final rule's compensation formula may not adequately reflect their share of direct and incremental losses.

Comment Due Date: January 16, 2002